

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BROIDY CAPITAL MANAGEMENT LLC
and ELLIOTT BROIDY,

Plaintiffs,

v.

JAMAL BENOMAR,

Defendant.

Case No. 18-CV-6615-CS

**DECLARATION OF ABBE DAVID LOWELL IN SUPPORT OF
DEFENDANT'S MOTION TO DISMISS**

I, Abbe David Lowell, hereby declares as follows:

1. I am a Partner in the law firm of Winston & Strawn LLP. I represent Defendant Jamal Benomar in this action. I am a member of the New York State Bar, Maryland State Bar, and the District of Columbia Bar. I have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. Attached as Ex. 1 to this Declaration are true and correct copies of the relevant pages of Mr. Benomar's current passport, which is a Diplomatic Passport issued by the Kingdom of Morocco.

3. Attached as Ex. 2 to this Declaration are true and correct copies of the relevant pages of Mr. Benomar's immediately-preceding passport, also a Diplomatic Passport issued by the Kingdom of Morocco.

4. Attached as Ex. 3 is a true and correct copy of Mr. Benomar's U.S.-granted, G-1 diplomatic visa, effective November 1, 2017, which visa remains operative through October 30, 2022.

5. Attached as Ex. 4 is a true and correct copy of correspondence from the Permanent Mission of Morocco to the UN Office of Protocol, dated August 1, 2018.

6. Attached as Ex. 5 is a true and correct copy of the U.S. State Department identification card with Mr. Benomar's title as "support staff."

7. Attached as Ex. 6 is a true and correct copy of correspondence from the Permanent Mission of Morocco to Host Country Affairs for the United States Permanent Mission to the United Nations, dated August 27, 2018.

8. Attached as Ex. 7 is a true and correct copy of correspondence from the Permanent Mission of Morocco to the Diplomatic Accreditations Officer, dated September 21, 2018.

9. Attached as Ex. 8 is a true and correct copy of correspondence from the Moroccan Ministry for Foreign Affairs and International Cooperation to the U.S. Embassy in Rabat and the Minister Counselor Host Country Affairs at the United States Mission, dated October 5, 2018.

10. Attached as Ex. 9 is a true and correct copy of correspondence from the Permanent Mission of Morocco to the UN Office of protocol, dated October 10, 2018, that forwarded the October 5, 2018 correspondence and a certified translation of the October 10 and October 5 correspondence is attached.

11. Mr. Benomar is included in the United Nations Blue Book as "Minister Plenipotentiary." A true and correct copy of the Blue Book website, printed October 31, 2018 is attached as Ex. 10.

12. On October 15, 2018, the UN Office of Protocol issued Mr. Benomar a blue identification card, given to diplomats, identifying Mr. Benomar as "Morocco Minister Plenipotentiary." A true and correct copy of the identification card is attached as Ex. 11.

Executed at Washington, D.C. this 31st day of October 2018.

Dated: October 31, 2018

By: /s/ Abbe David Lowell
Abbe David Lowell